

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

EDDIE DUNBAR, a/k/a ALAMIN  
SAMAD,

Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO,

Respondent.

No. 2:21-cv-01022 WBS GGH P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 13, 2021, the magistrate judge filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 10. Petitioner has filed objections to the findings and recommendations. ECF No. 11.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and by proper analysis.


Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 13, 2021, are adopted in full;

2. This action is dismissed as a second or successive habeas corpus application without prejudice to its refiling with a copy of an order from the Ninth Circuit Court of Appeals authorizing petitioner to file a successive petition; and

3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: October 5, 2021

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE